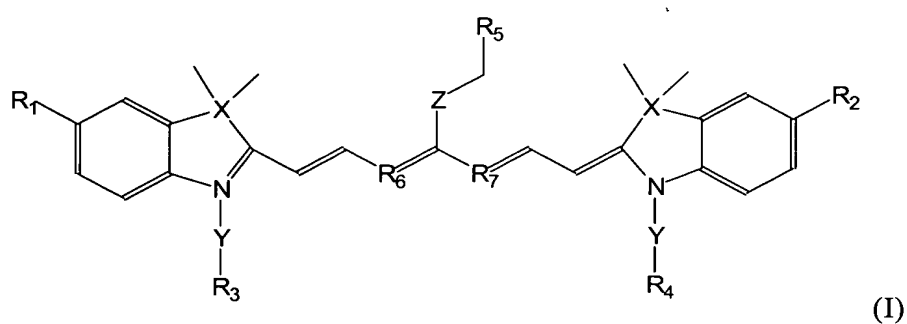


This listing of claims will replace all prior versions, and listings, of claims in the application:

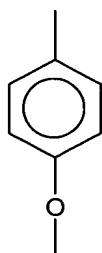
**Listing of Claims:**

1. (Original) Indotricarbocyanine dye of general formula (I),



in which

- X is O, S or C that is substituted in two places, whereby the substituents can be selected from methyl, ethyl, propyl, isopropyl and/or butyl,
- Y is CH<sub>2</sub>-CH<sub>2</sub> or CH<sub>2</sub>-CH<sub>2</sub>-CH<sub>2</sub>,
- Z is C<sub>1</sub> to C<sub>5</sub> alkyl, whereby the C atoms are optionally substituted by O or S, or is



R<sub>1</sub> to R<sub>4</sub>, independently of one another, are SO<sub>3</sub>H or H, with the proviso that at least

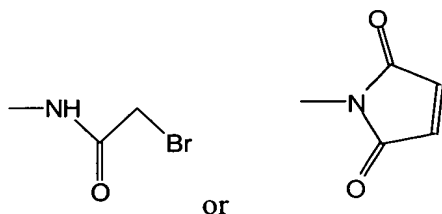
three of R<sub>1</sub> to R<sub>4</sub> are SO<sub>3</sub>H,

R<sub>5</sub> is -CO-NH-R<sub>8</sub>-R<sub>9</sub>, -NH-CS-NH-R<sub>8</sub>-R<sub>9</sub> or -NH-CO-R<sub>8</sub>-R<sub>9</sub>,

in which R<sub>8</sub> is selected from the group that consists of unbranched C<sub>2</sub>-C<sub>13</sub> alkyl, in

which C atoms are optionally replaced by O or S, and

R<sub>9</sub> is selected from



or chloroacetyl, bromoacetyl, iodoacetyl, chloroacetamido, iodoacetamido, chloroalkyl,

bromoalkyl, iodoalkyl, pyridyl disulfide and vinyl sulfonamide, and

in which R<sub>6</sub> and R<sub>7</sub> are CH or are connected to a hexyl ring by a C<sub>3</sub>-alkyl, which optionally can be substituted in para-position with a C<sub>1</sub> to C<sub>4</sub>-alkyl radical, and salts and solvates of this compound.

2. (Original) Indotricarbocyanine dye according to claim 1, in which

Y is CH<sub>2</sub>-CH<sub>2</sub>,

Z is C<sub>1</sub> to C<sub>5</sub> alkyl, whereby the C atoms are optionally substituted by O or S, and

in which R<sub>6</sub> and R<sub>7</sub> are CH, and salts and solvates of this compound.

3. (Currently Amended) Indotricarbocyanine dye according to claim 1 ~~claim 1 or 2~~,

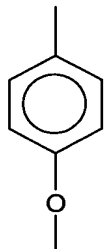
in which

Z is C<sub>1</sub>-C<sub>5</sub> alkyl.

4. (Currently Amended) Indotricarbocyanine dye according to claim 1 ~~claim 1 or 2~~,

in which

Z is

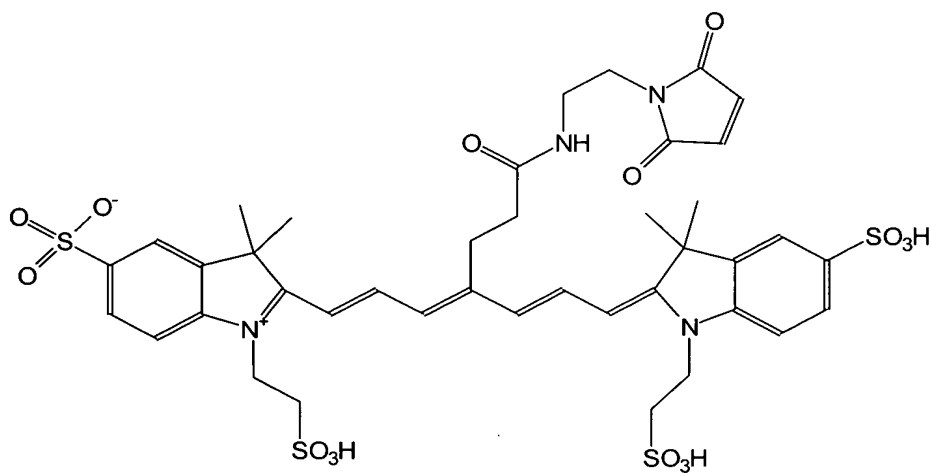


and R<sub>6</sub> and R<sub>7</sub> are connected to a hexyl ring via C<sub>3</sub>-alkyl.

5. (Currently Amended) Indotricarbocyanine dye according to claim 1 ~~one of claims 1 to 4~~, in which

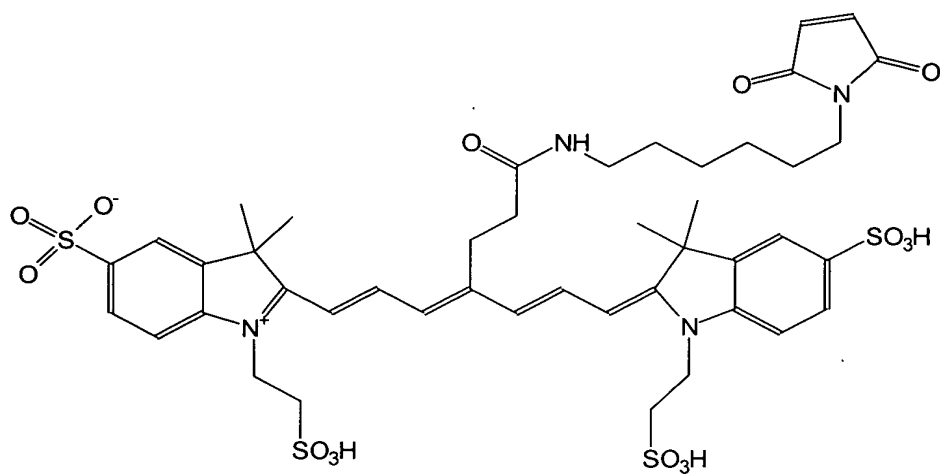
R<sub>5</sub> is COOH or NH<sub>2</sub>.

6. (Original) Indotricarbocyanine dye according to claim 3 of formula (II)



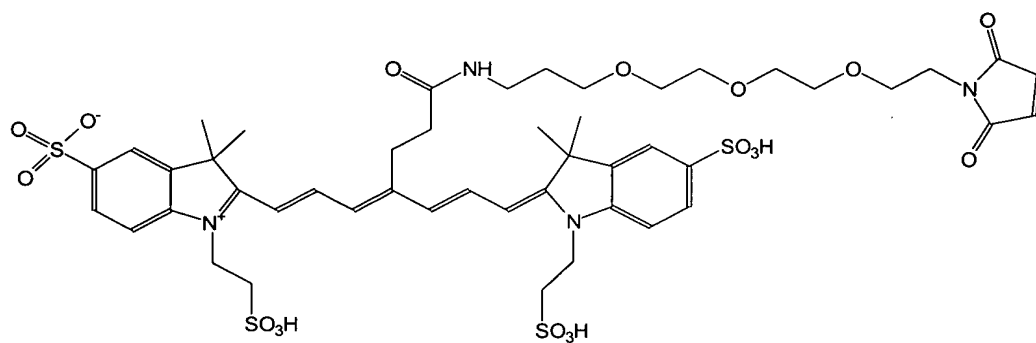
and salts and solvates of this compound.

7. (Original) Indotricarbocyanine dye according to claim 3 of formula (III)



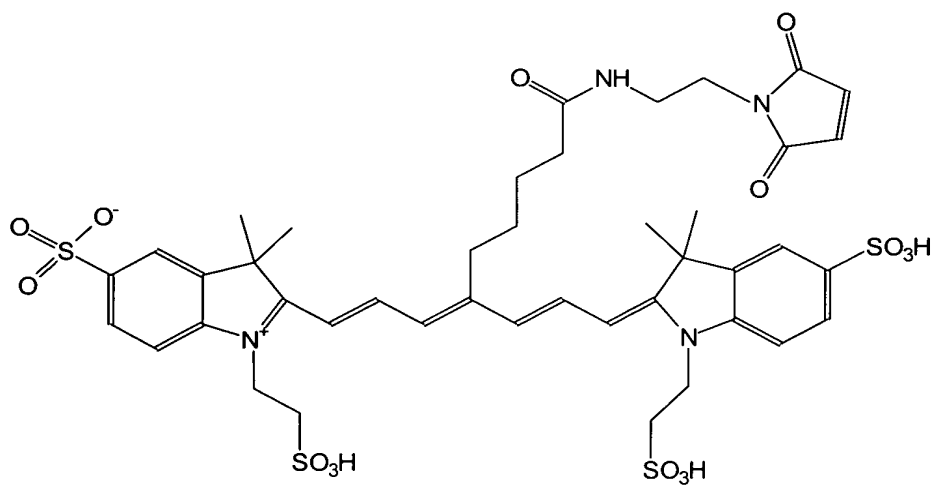
and salts and solvates of this compound.

8. (Original) Indotricarbocyanine dye according to claim 3 of formula (IV)



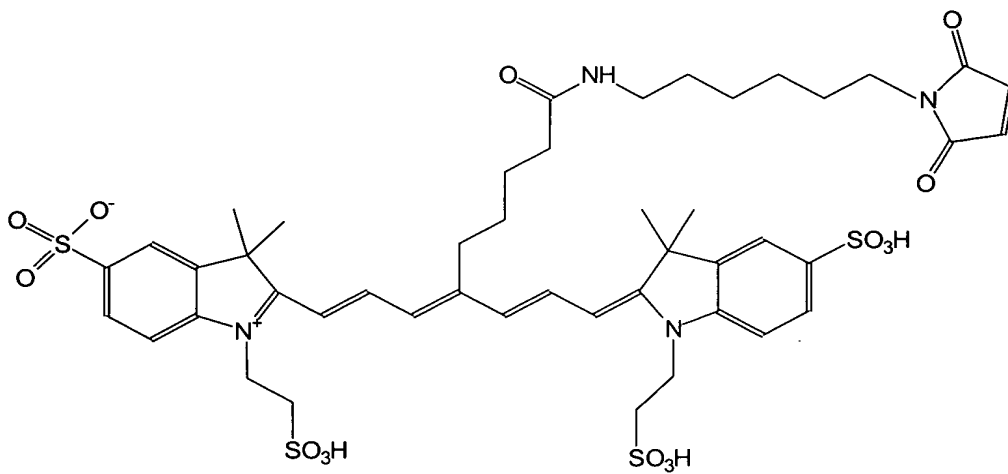
and salts and solvates of this compound.

9. (Original) Indotricarbocyanine dye according to claim 3 of formula (V)



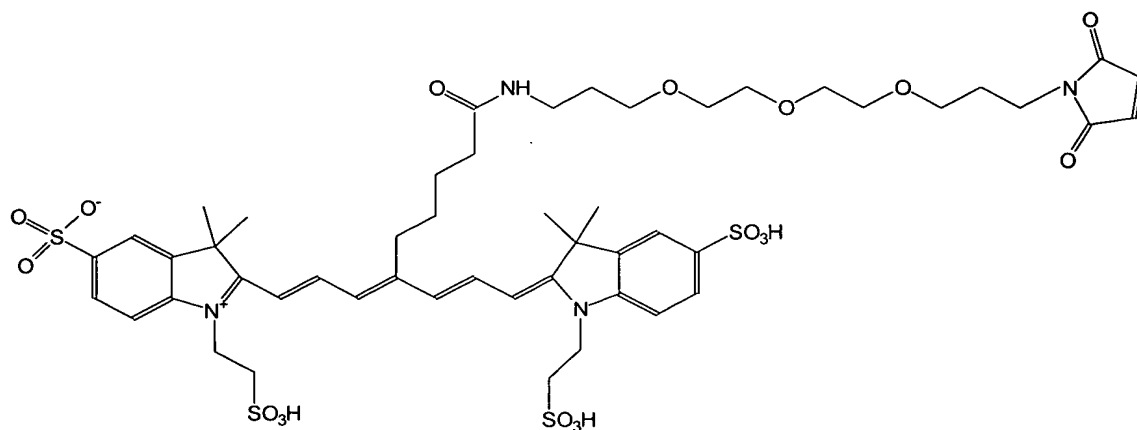
and salts and solvates of this compound.

10. (Original) Indotricarbocyanine dye according to claim 3 of formula (VI)



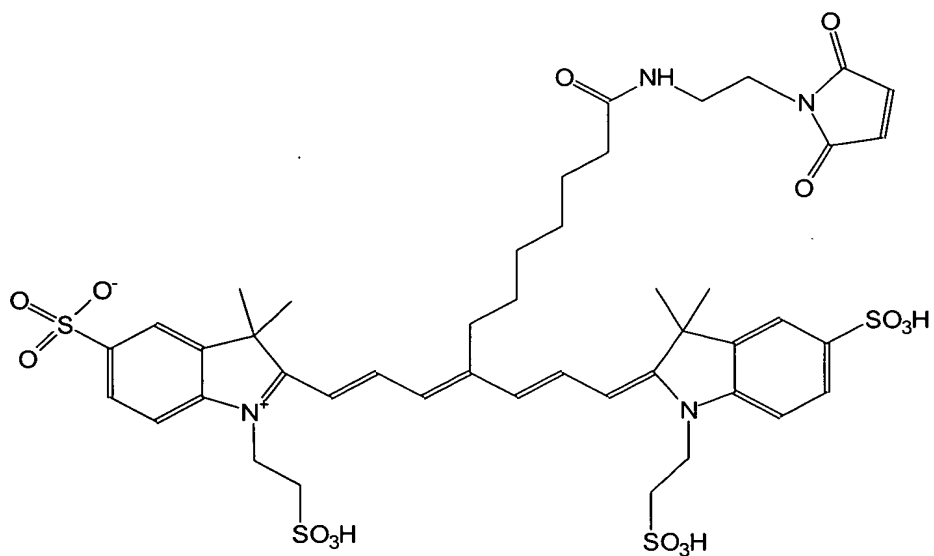
and salts and solvates of this compound.

11. (Original) Indotricarbocyanine dye according to claim 3 of formula (VII)



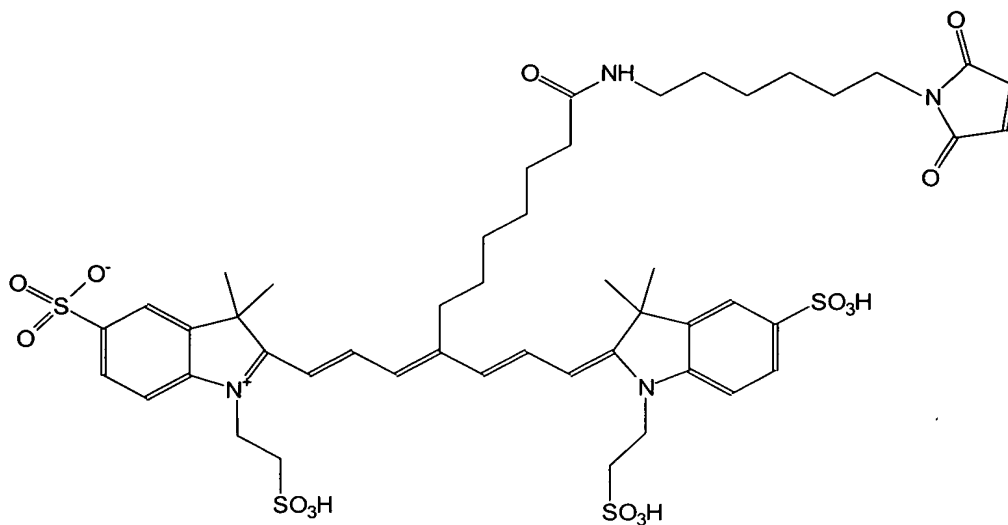
and salts and solvates of this compound.

12. (Original) Indotricarbocyanine dye according to claim 3 of formula (VIII)



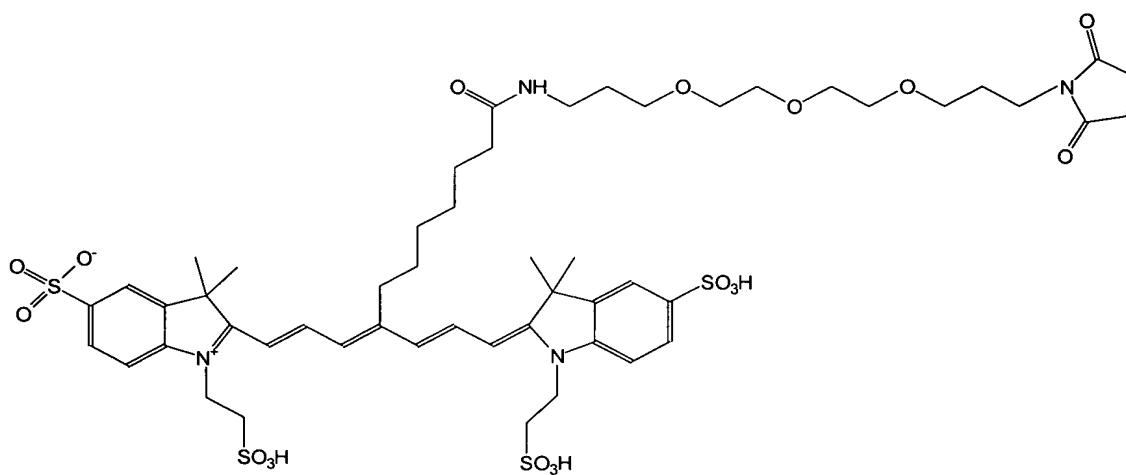
and salts and solvates of this compound.

13. (Original) Indotricarbocyanine dye according to claim 3 of formula (IX)



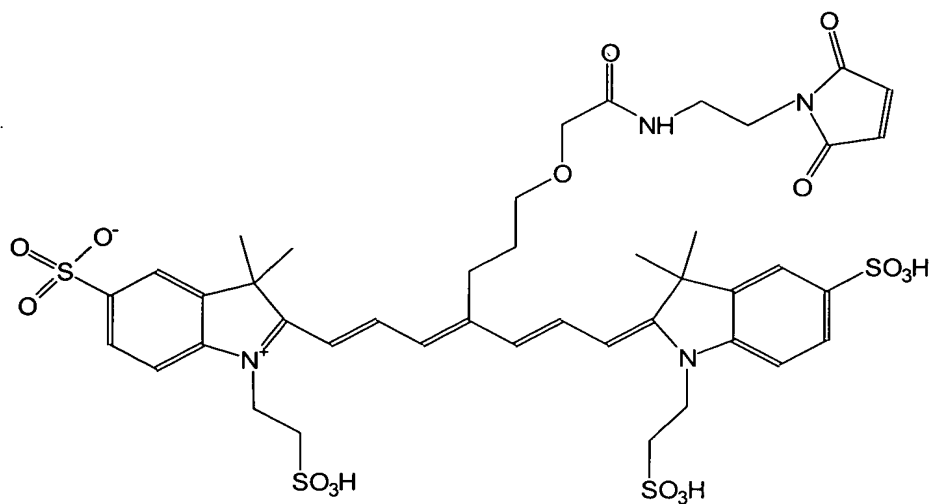
and salts and solvates of this compound.

14. (Original) Indotricarbocyanine dye according to claim 3 of formula (X)



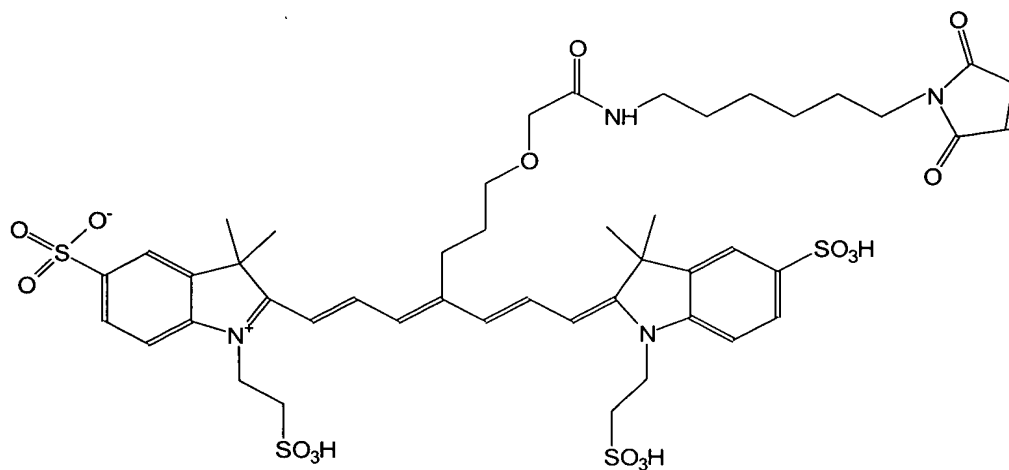
and salts and solvates of this compound.

15. (Original) Indotricarbocyanine dye according to claim 2 of formula (XI)



and salts and solvates of this compound.

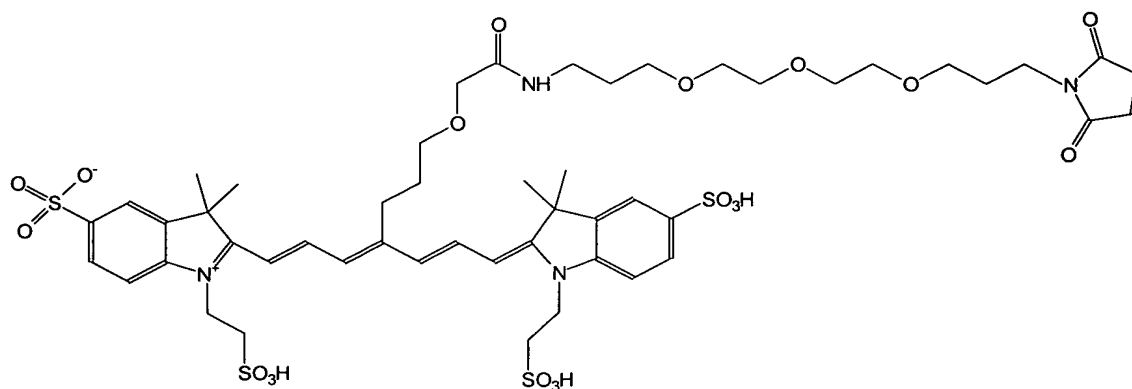
16. (Original) Indotricarbocyanine dye according to claim 2 of formula (XII)



and salts and solvates of this compound.

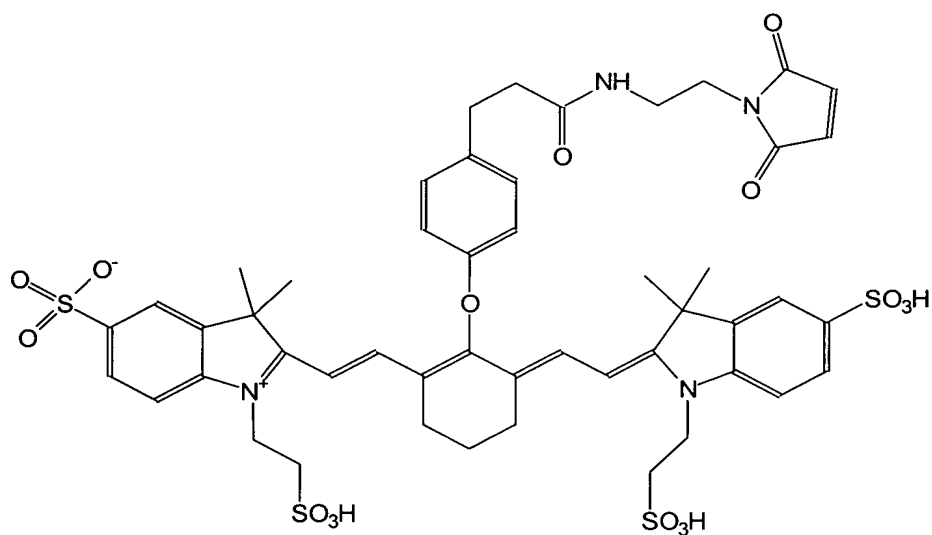
17. (Original) Indotricarbocyanine dye according to claim 2 of formula (XIII)





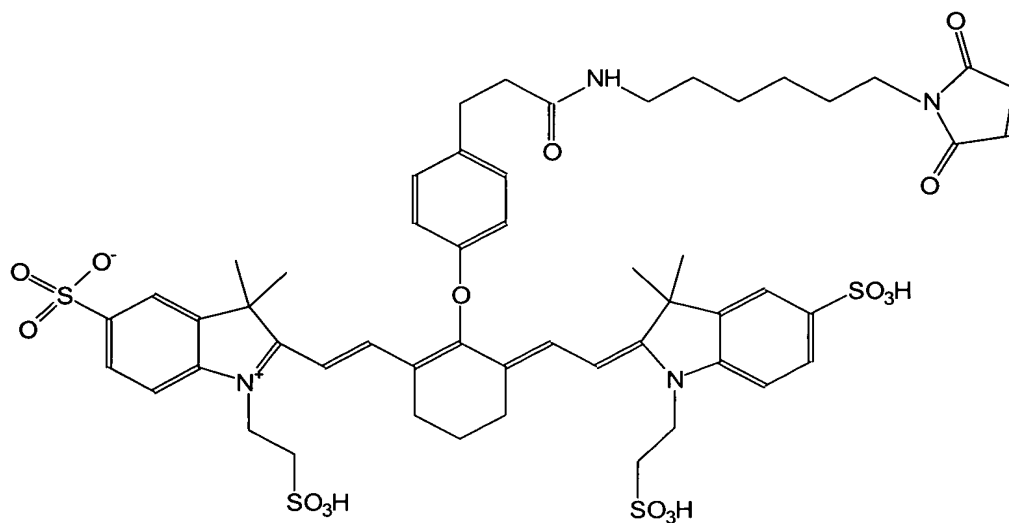
and salts and solvates of this compound.

18. (Original) Indotricarbocyanine dye according to claim 4 of formula (XIV)



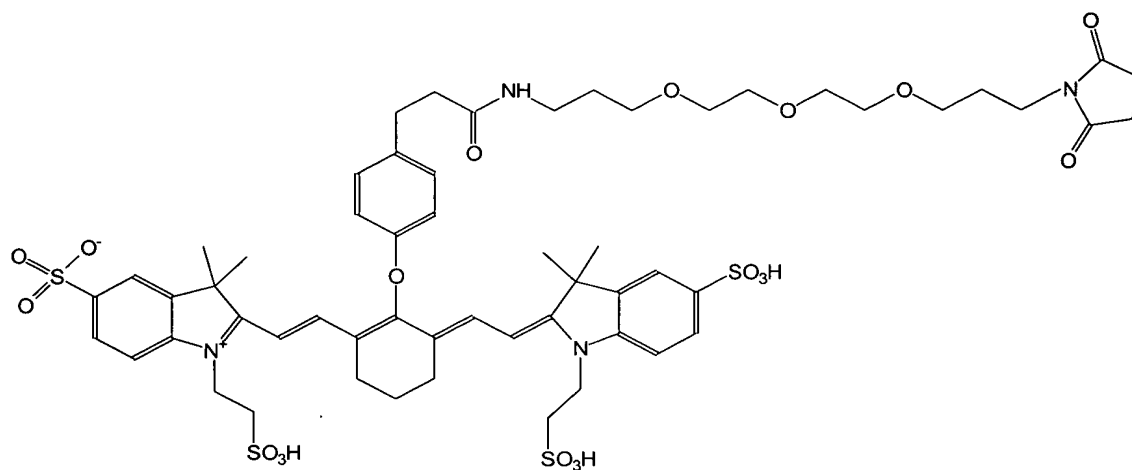
and salts and solvates of this compound.

19. (Original) Indotricarbocyanine dye according to claim 4 of formula (XV)



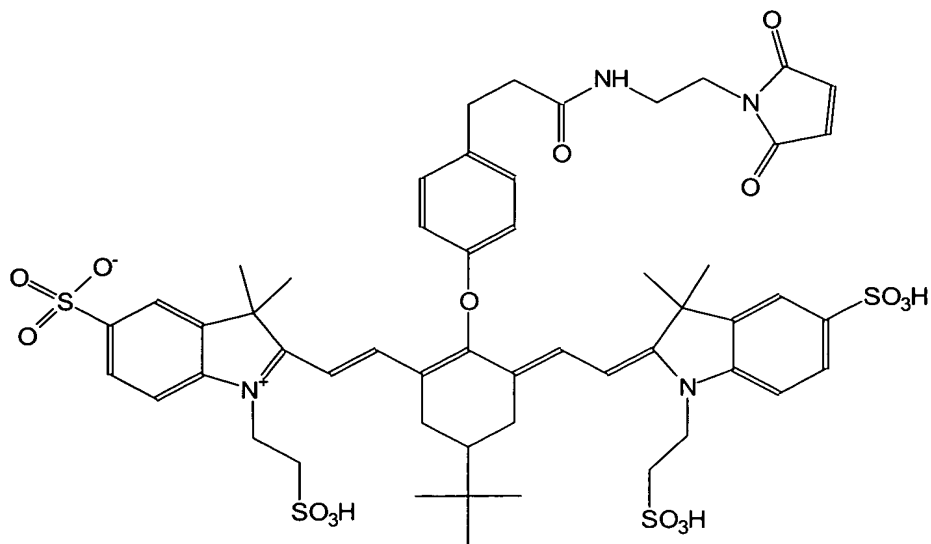
and salts and solvates of this compound.

20. (Original) Indotricarbocyanine dye according to claim 4 of formula (XVI)



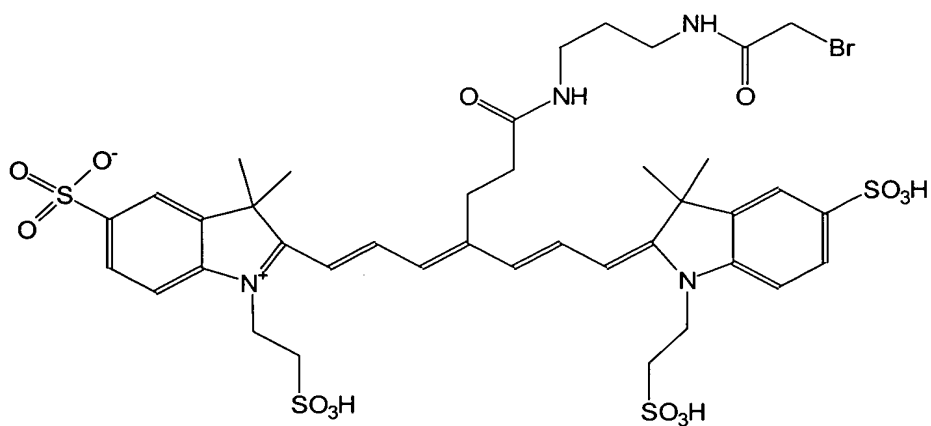
and salts and solvates of this compound.

21. (Original) Indotricarbocyanine dye according to claim 4 of formula (XVII)



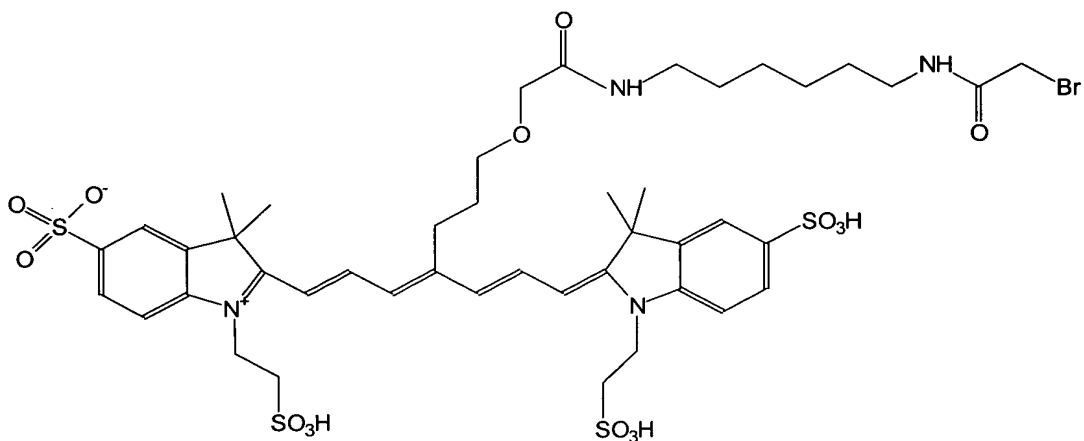
and salts and solvates of this compound.

22. (Original) Indotricarbocyanine dye according to claim 3 of formula (XVIII)



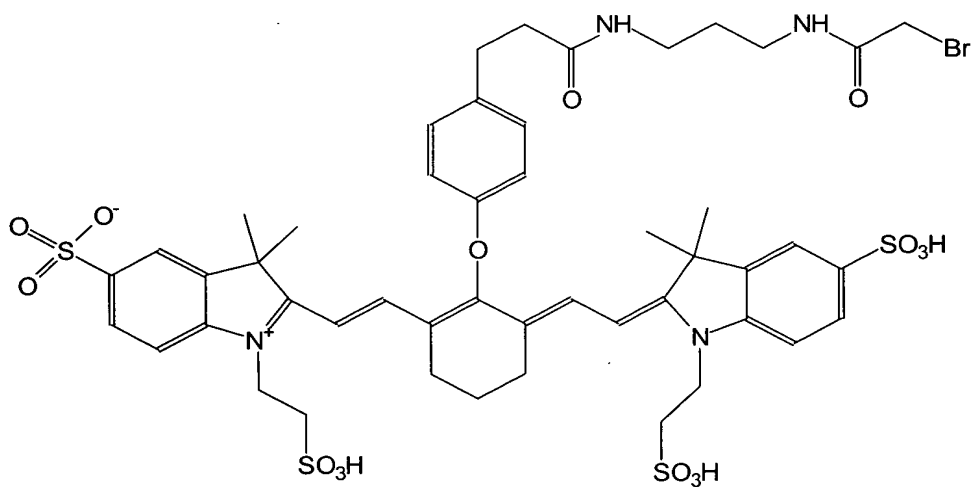
and salts and solvates of this compound.

23. (Original) Indotricarbocyanine dye according to claim 2 of formula (XIX)



and salts and solvates of this compound.

24. (Original) Indotricarbocyanine dye according to claim 4 of formula (XX)



and salts and solvates of this compound.

25. (Currently Amended) Process for the production of an indotricarbocyanine dye according to claim 1 ~~one of claims 1 to 24~~, comprising

- a) Preparation of one or more 4-substituted pyridines,
- b) Conversion of one or more 4-substituted pyridines in *meso*-substituted

glutaconaldehyde-dianilides as precursors into cyanine dyes, by means of the Zincke-König reaction, and

- c) Obtaining the *meso*-substituted glutaconaldehyde-dianilide as precursors to cyanine dyes.

26. (Currently Amended) Process for the production of a conjugate, comprising coupling of an indotricarbocyanine dye according to claim 1 ~~one of claims 1 to 24~~ with a biomolecule.

27. (Original) Conjugate of an indotricarbocyanine dye with a biomolecule, produced according to claim 26.

28. (Original) Conjugate according to claim 27, characterized in that as a biomolecule, it comprises at least one biomolecule that is selected from peptides, proteins, lipoproteins, antibodies or antibody fragments, nucleic acid, such as, for example, oligo- or polynucleotides from DNA or RNA, aptamers, PNA, and sugars, such as, for example, mono-, di-, tri-, oligo- and polysaccharides.

29. (Original) Conjugate according to claim 28, wherein the protein is selected from the group of skeletal proteins or soluble proteins of the body.

30. (Currently Amended) Conjugate according to claim 28 ~~claim 28 or 29~~, wherein the soluble protein is a serum protein, such as, for example, HSA, BSA, egg albumin, an enzyme, such as, for example, a peroxidase or an antibody, an scFv fragment or F(ab).

31. (Currently Amended) Conjugate according to claim 27 ~~one of claims 27 to 30~~, wherein the soluble protein has an affinity with respect to ED-B-fibronectin.

32. (Currently Amended) Conjugate according to claim 27 ~~one of claims 27 to 31~~,

wherein the indotricarbocyanine dye is coupled to the biomolecule via an SH group, in particular via an SH group to a cysteine.

33. (Currently Amended) Diagnostic kit, comprising an indotricarbocyanine dye according to claim 1 ~~one of claims 1 to 24~~ and/or a conjugate produced by coupling said indotricarbocyanine dye with a biomolecule according to one of claims 27 to 31, together with additional adjuvants for implementing an *in-vivo* diagnosis of, in particular, tumors.

34. (Currently Amended) Use of a conjugate according to claim 27 ~~one of claims 27 to 31~~ as a fluorescence contrast medium for *in-vivo* diagnosis of tumors.